

AGENDA

**EXETER TOWN COUNCIL
REGULAR MEETING**

MEETING DATE

MONDAY, AUGUST 7, 2023, 7:00 P.M.

MEETING LOCATION

**COUNCIL CHAMBERS, CLERK'S OFFICE BUILDING
675 TEN ROD ROAD, EXETER, RHODE ISLAND**

***All Agenda Items are subject to review, consideration,
discussion, and/or possible action by the Town Council***

***Per the Town Council's By-laws, Section 119 (Decorum), order must be preserved during
Town Council Meetings. No person shall by statement, action, conversation, or otherwise,
interrupt a Council Member or delay the proceedings of the Town Council Meeting.***

**No. 1: PLEDGE OF ALLEGIANCE: MICHAEL A. LEFEBVRE
TOWN COUNCIL VICE PRESIDENT**

No. 2: CALL TO ORDER AND ROLL CALL

No. 3: ACKNOWLEDGEMENTS AND ANNOUNCEMENTS

No. 4: APPROVAL OF AGENDA ORDER

**No. 5: APPROVAL OF CONSENT AGENDA: Consent Agenda items are
accepted in one motion, unless removed by a Council Member.**

**A. REYNOLDS CHARITABLE TRUST: Approval of Vouchers and Signing
of Documents, if any.**

B. REPORTS: Those removed by a Council Member will be addressed under Agenda Item No. 11.

- 1. TOWN CLERK**
- 2. TREASURER**
- 3. TAX ASSESSOR**
- 4. TAX COLLECTOR**
- 5. TOWN PLANNER**
- 6. ANIMAL CONTROL**
- 7. TRANSFER STATION**
- 8. EXETER PUBLIC LIBRARY**
- 9. INFORMATION TECHNOLOGY**
- 10. DEPARTMENT OF PUBLIC WORKS**
- 11. DEPARTMENT OF SOCIAL SERVICES**
- 12. EMERGENCY MANAGEMENT/PUBLIC SAFETY**
- 13. RURAL LAND PRESERVATION TRUST COMMITTEE**
- 14. EXETER JOB CORPS ACADEMY**
- 15. EXETER-WEST GREENWICH SCHOOL DISTRICT**
- 16. EXETER-WEST GREENWICH REGIONAL SCHOOL BUILDING COMMITTEE**

C. COMMUNICATIONS: See Appendix A attached hereto and incorporated herein. Those removed by a Council Member will be addressed under Agenda Item No. 13.

D. SCHEDULE OF AUGUST MEETINGS AND EVENTS

E. BILLS, APPROPRIATIONS, AND ABATEMENTS:

- 1. BILL SHEET**
- 2. TAX ASSESSOR'S ABATEMENTS**
- 3. TAX COLLECTOR'S REMITTANCES AND ABATEMENTS**

F. APPROVAL OF MINUTES:

- 1. COUNCIL REGULAR MEETING, JUNE 5, 2023**
- 2. COUNCIL REGULAR MEETING EXECUTIVE SESSION, JUNE 5, 2023**
- 3. COUNCIL REGULAR MEETING, JULY 10, 2023**
- 4. COUNCIL REGULAR MEETING EXECUTIVE SESSION, JULY 10, 2023**
- 5. COUNCIL SPECIAL MEETING, JULY 17, 2023**

No. 6: VACANCIES AND APPOINTMENTS:

A. VACANCIES:

- 1. PERSONNEL BOARD (5 MEMBERS NEEDED)**
- 2. CONSERVATION COMMISSION (7 MEMBERS NEEDED)**

B. RESIGNATIONS

C. APPOINTMENTS:

- 1. JUVENILE HEARING BOARD ALTERNATE MEMBER (TO SERVE THREE-YEAR TERM BEGINNING DATE OF APPOINTMENT)**
- 2. EXETER RURAL LAND PRESERVATION TRUST COMMITTEE MEMBER (TO SERVE FOUR-YEAR TERM BEGINNING DATE OF APPOINTMENT)**
- 3. WOOD-PAWCATUCK WILD AND SCENIC RIVERS STEWARDSHIP COUNCIL ALTERNATE MEMBER**
- 4. LIBRARY BOARD OF TRUSTEES MEMBER (TO SERVE THREE-YEAR TERM BEGINNING DATE OF APPOINTMENT)**
- 5. BOARD OF CANVASSERS ALTERNATE MEMBER (TO SERVE UNEXPIRED TERM ENDING MAY 3, 2027)**
- 6. ZONING BOARD OF REVIEW ALTERNATE MEMBER (TO SERVE FIVE-YEAR TERM BEGINNING DATE OF APPOINTMENT)**
- 7. PUBLIC WORKS WORKER**

D. EXPIRING TERMS:

- 1. ZONING BOARD OF REVIEW MEMBER: TIMOTHY ROBERTSON (TERM ENDING AUGUST 1, 2023)**

No. 7: PUBLIC HEARINGS:

- A. CLASS F1, SPECIAL ONE DAY EVENT, LIQUOR LICENSE APPLICATION: MATT RICHARDSON, OWNER/APPLICANT, TILTED BARN BREWERY, ONE HELMSLEY PLACE, EXETER, RHODE ISLAND**
- B. OUTDOOR ENTERTAINMENT LICENSE: FRIENDS OF THE EXETER PUBLIC LIBRARY, APPLICANT: TO HOLD ANNUAL FUNDRAISER, "EXETER FALL FESTIVAL," TO BENEFIT THE EXETER PUBLIC LIBRARY, SATURDAY, SEPTEMBER 23, 2023, FROM 10:00 A.M. TO 3:00 P.M., AT THE YAWGOO VALLEY SKI AREA, 160 YAWGOO VALLEY ROAD, EXETER, RHODE ISLAND, TO INCLUDE MUSIC, ARTISANS, VENDORS, AND FAMILY ENTERTAINMENT**

No. 8: PUBLIC COMMENT: Comments are not limited to items on this agenda. However, items not on this agenda will only be heard and not acted upon by the Town Council, unless they are of an emergency nature. (3-minute time limit per person; 15-minute maximum time allowed for this agenda item).

Section 42-46-6 of the Open Meetings Act and the Town Council By-Laws prohibit the Town Council from deliberating, debating, or acting on previously unposted matters during the Public Comment section of the agenda.

State law prohibits the Town Council from acting or voting upon any such matter, except under emergency circumstances. The Town Council may only, if warranted, refer such matters to an appropriate committee, to another body or official, or post the matter for consideration at a properly-noticed, future meeting. Accordingly, because the Council is obliged not to respond, the immediate silence of the Town Council Members relative to any matter raised by a speaker during Public Comment may not be construed as any endorsement, confirmation, acquiescence in, support of, or the taking of any position concerning, a matter raised by a member of the public under Public Comment.

Public participants under Public Comment are also reminded that they must adhere to the dictates of Sections 115.B, 117 (Manner of Address), 119 (Decorum), and 120 (Enforcement) of the Council By-Laws in addressing the Council during a public meeting under Public Comment.

No. 9: NEW BUSINESS:

- A. DEPARTMENT OF PUBLIC WORKS: AWARDING OF BID:
REPLACEMENT OF VIKING PROLINE ALL SEASON DUMP
BODY MODEL PL1011SD**
- B. DEPARTMENT OF PUBLIC WORKS: AWARDING OF BID:
REPLACEMENT OF 2007 4X4 F350 SERVICE TRUCK**
- C. DEPARTMENT OF PUBLIC WORKS: AWARDING OF BID:
70'-75' FORESTRY BUCKET TRUCK**
- D. DEPARTMENT OF PUBLIC WORKS: AWARDING OF BID:
TWO 40-YARD RECEIVER CONTAINERS**
- E. DEPARTMENT OF PUBLIC WORKS: AWARDING OF BID:
40' X 8' STORAGE CONTAINER**
- F. DEPARTMENT OF PUBLIC WORKS: AWARDING OF BID:
PLANTS, TREES, EVERGREENS, BUSHES**
- G. DEPARTMENT OF PUBLIC WORKS: REQUEST TO GO OUT
TO BID: SOLID WASTE AND RECYCLING HAULING**
- H. PUBLIC WORKS DEPARTMENT: REQUEST TO GO OUT TO BID:
FOG SEAL USING ASPHALT EMULSIONS**

- I. PUBLIC WORKS DEPARTMENT: REQUEST FOR APPROVAL: PAVEMENT PRESERVATION MANAGEMENT AGREEMENT**
- J. EXETER PUBLIC LIBRARY: REQUEST TO GO OUT TO BID: CARPET REPLACEMENT**
- K. EXETER PUBLIC LIBRARY: REQUEST TO GO OUT TO BID: AUTOMATIC DOOR OPENERS**
- L. REQUEST OF TOWN SERGEANT'S OFFICE: INCREASE IN DETAIL RATES**
- M. TOWN OF EXETER AND TOWN OF WEST GREENWICH AND EXETER WEST GREENWICH REGIONAL SCHOOL DISTRICT: JOINT RESOLUTION IN SUPPORT OF CLARIFYING SECTION 5E OF PUBLIC LAWS 1965, CHAPTER 80, APPROVING AND RATIFYING THE AGREEMENT BETWEEN THE TOWNS OF EXETER AND WEST GREENWICH, RHODE ISLAND, WITH RESPECT TO THE FORMATION OF A REGIONAL SCHOOL DISTRICT WITH AMENDMENTS INCORPORATED THEREIN**
- N. JUNE COMMUNICATION NO. 20: POTENTIAL CEA ZONING AMENDMENT VIOLATIONS**

No. 10: UNFINISHED BUSINESS:

- A. USE OF AMERICAN RESCUE PLAN ACT FUNDS: POSSIBLE BUILD OF NEW TOWN HALL V. POSSIBLE PURCHASE OF 742 TEN ROD ROAD**
- B. JULY 2022 COMMUNICATION NO 16: GOVERNOR MCKEE: RHODE ISLAND CAPITAL PROJECTS FUND: MULTI-PURPOSE COMMUNITY FACILITIES MATCHING GRANT**
- C. SPLIT ROCK MOBILE PARK:**
 - 1. REQUEST OF ELECTRICAL INSPECTOR RANDY McGOVERN TO OBTAIN ENGINEER'S REPORT AND REQUIRE VIOLATIONS TO BE CORRECTED TIMELY;**
 - 2. TRAILER PARK LICENSE RENEWAL APPLICATION: SPLIT ROCK MOBILE PARK, 480 SOUTH COUNTY TRAIL**
- D. TOWN OF EXETER CODE OF ORDINANCES; CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS; ARTICLE IV, IMPACT FEES**
- E. TOWN EMAILS AND RECORDS: OFFICIALS, STAFF, BOARDS, AND COMMISSIONS**

- F. HISTORIC PRESERVATION: WOODY HILL AND HALL SCHOOLS**
- G. DIRECTOR OF PUBLIC WORKS: REQUEST FOR GUIDANCE:
INCIDENT AT 5 WEST SHORE DRIVE**
- H. AWARDING OF BID: TOWN HALL ARCHITECTURAL SERVICES**
- I. NEW LEGISLATION: CHANGES TO LOW-MOD ACT, COMPREHENSIVE
PLANNING ACT, ZONING ENABLING ACT, AND LAND DEVELOPMENT
AND SUBDIVISION ACT**
- J. PUBLIC ACCESS: ZONING CERTIFICATES/LETTERS**
- K. EXETER CLERK'S OFFICE BUILDING, SECOND FLOOR:
SOUNDPROOFING**
- L. JULY COMMUNICATION NO. 16: LETTER FROM JENNIFER DAME:
REQUEST FOR RE-EVALUATION OF THE INCOME GUIDELINES FOR
THE TAX EXEMPTION FOR LOW-TO-MODERATE INCOME HOUSING**

No. 11: REPORTS OF OFFICERS, BOARDS, AND COMMITTEES:

- A. TOWN COUNCIL ASSISTANT'S REPORT:
TOWN COUNCIL ASSISTANT, KENNETH G. FINDLAY**
- B. SOLICITOR'S REPORT : JAMES P. MARUSAK, ESQ.**
- C. REPORTS REMOVED FROM CONSENT AGENDA**

No. 12: OTHER ADMINISTRATIVE ISSUES

No. 13: COMMUNICATIONS

No. 14: EXECUTIVE SESSION:

- A. CURRENT/FUTURE LITIGATION:**
 - 1. GREEN DEVELOPMENT V. TOWN OF EXETER ET ALS (EIGHT CASES)**
 - 2. DiGREGORIO V. LAWLER ET AL (TWO CASES)**
 - 3. ASA S. DAVIS III V. TOWN OF EXETER (NINE CASES)**
- B. POTENTIAL LITIGATION:**
 - 1. DEPARTMENT OF ENVIRONMENTAL MANAGEMENT: NOTICE OF
INTENT TO ENFORCE, TOWN GARAGE, 175 SOUTH COUNTY TRAIL**

C. INVESTIGATIVE MATTERS:

- 1. DEPARTMENT OF ENVIRONMENTAL MANAGEMENT: NOTICE OF INTENT TO ENFORCE, TOWN GARAGE, 175 SOUTH COUNTY TRAIL**

**D. POSSIBLE ACQUISITION OF REAL PROPERTY [RIGL 42-46(5)(a)(5)]:
742 TEN ROD ROAD**

E. COLLECTIVE BARGAINING:

- 1. MANNER OF RECORDING HOURS WORKED**
- 2. POSSIBLE CREATION OF NEW POSITION**

No. 15: ADJOURNMENT

POSTED AUGUST 2, 2023, AT TOWN OF EXETER CLERK'S OFFICE, PUBLIC LIBRARY, AND POST OFFICE, AND ON SECRETARY OF STATE'S AND TOWN OF EXETER'S WEBSITES

The public is welcome to attend any meetings of the Exeter Town Council or its committees, boards, or commissions. If communications assistance or other accommodation is required or necessary to ensure equal participation, please contact the Exeter Town Clerk's Office two business days prior to the meeting during normal business hours, 9:00 a.m. to 4:00 p.m., at (401) 294-3891, Ext. 9, or clerk@exeterri.gov. The Exeter Town Clerk's Building is handicapped accessible.

APPENDIX A

No. 6C Communications:

- No. 1 07/12/2023 Governor McKee's Office:**
A) McKee Administration Announces New Round of Brownfields Grant Funding Now Available
B) Governor McKee Signs package of Housing Legislation Aimed at Spurring Development Statewide
- No. 2 07/12/2023 Rhode Island Public Works Association: Summer 2023 Publication**
- No. 3 07/13/2023 Clarefeld Citizens Private Wealth: 04/01/2023 – 06/30/2023**
- No. 4 07/17/2023 Trans Global Construction, LLC: Claim for Additional Labor Differing Site Conditions**
- No. 5 07/17/2023 Governor McKee's Office: First Lady McKee's Keep Rhody Litter Free Campaign**
- No. 6 07/17/2023 Governor McKee's Office: Governor McKee Statement on BOEM Environmental Analysis of Proposed 400MW Revolution Wind Project**
- No. 7 07/21/2023 Governor McKee's Office:**
A) Governor McKee Statement on Today's Job Numbers
B) 31 Communities Sign Learn365RI Municipal Compact, Committing to Increase Out-of-School Learning Opportunities
C) Governor McKee, Congressional Delegation, RIDOT Hold Kickoff for New Route 37 Project Supported by Newly Awarded Federal Grant
- No. 8 07/24/2023 Stephen Sovet: Letter of Interest and Resume for position as Zoning Board of Review Alternate**
- No. 9 07/25/2023 Letter from James Anderson regarding situation with neighbors on West Shore Drive**
- No. 10 07/25/2023 Governor McKee's Office:**
A) Governor McKee Signs Executive Order Establishing July 30 as Governor's Bay Day
B) McKee Administration Launches Search for New Child Advocate

- No. 11 07/28/2023 Asa Davis: Contaminated Drinking Water in Exeter; WPRI Article**
- No. 12 07/28/2023 SBA Communications Corp: Revenue Sharing Details by Tenant; August 2023**
- No. 13 07/28/2023 Governor McKee's Office: Governor McKee, DEM Announce Availability of \$3 Million in Grant Funding to Help Communities, Local Groups Protect Open Space**
- No. 14 08/01/2023 South County Regional Planning Council: Request for a Representative from each Town Council**